

## REMARKS

This amendment accompanies the filing of a REQUEST FOR CONTINUED EXAMINATION following a Final Office Action mailed August 10, 2005. The Final Office Action rejected Applicant's Claims 1-4, 8-22 and 24-38 as being obvious in view of the combination of US Pat. No. 5,845,067 ("Porter") and US Pat. No. 6,237,786 ("Ginter"). Additionally, the Final Office Action rejected Claims 5-6, 23 and 39 as obvious in view of Porter, Ginter and US Pat. No. 5,951,620 ("Ahrens").

With this response, Applicant has amended Claims 1, 8, 10 and 24. Applicant respectfully requests the Examiner to reconsider the pending Claims of the present application in view of the following remarks. Applicant submits that all pending claims are in condition for allowance.

### Independent Claim 1

Applicant's amended independent Claim 1 relates to a method for distribution of data products to end users. Claim 1 recites obtaining a first portion of the data product from a first location and obtaining a second portion of the data product from a second location. The method further recites combining the first portion and the second portion at the second location, wherein the end user is located at the second location. Claim 1 is not obvious in view of the combination of Porter and Ginter because the combination fails to disclose or suggest the recited claim element of wherein the combining is performed at the second location where the end user is located.

The Final Office Action indicated that Porter did not disclose that the combining is performed at the second location and cited Ginter as disclosing the claim element. (See, Final Office Action: page 3). Applicant has amended this claim element to specify that the combining is performed at the second location wherein the end user is located at the second location. Applicant respectfully points out that Ginter does not disclose the amended claim element; rather, Ginter teaches away from this claim element.

Briefly, the Ginter patent discloses an electronic commerce transaction and/or distribution control system. The Ginter system provides a "virtual distribution environment" ("VDE") that manages, secures and administers electronic information use. (See, Ginter:

column 2, lines 22-34). The Ginter system allows a customer to use a VDE object, such as an electronic newspaper, while preventing unauthorized use by another person.

The portions of the Ginter patent cited by the Advisory Action relate to a repository or a location at which authors may provide content that he or she intends to be made available to end users. According to Ginter, the author registers with the repository and provides registration information including where the content is to be located. For example, “stored at the repository, stored at the author 3306A’s location, stored elsewhere, or some combination of locations” such as at both the repository and the author’s location. (*See*, Ginter: FIG. 78, column 288, lines 45-46, 60-63). Additionally, Ginter allows multiple authors to contribute content that will be delivered to end users in a single container. For this embodiment, Ginter discloses *combining the content prior to transmitting the container to the repository or combining the content at the repository “prior to shipping a container to an end user.”* (*See*, Ginter: column 297, line 55 – column 298, line 8). Moreover, Ginter discloses combining the content pieces into VDE containers prior to shipping to the end user to provide security and content control information. In Ginter, the end user is located away from the repository and the authors of the content. (*See*, Ginter: column 299, line 64 – column 298, line 16). Thus, not only does Ginter not disclose the amended claim element of the combining being performed at the second location wherein the end user of the data product is located, but Ginter also teaches away from this claim element. Ginter requires the content to be combined and associated with control information that manages, secures and administers use of the VDE container prior to shipping to the end user. Thus, Ginter fails to disclose or suggest this claim element.

For at least the above reasons, Claim 1 is not obvious in view of the combination of Porter and Ginter. Thus, independent Claim 1 is in condition for allowance.

#### Claim 8

Applicant’s amended independent Claim 8 relates to a system for distribution of data products to end users. Claim 8 recites “combining is performed at a location of said one of said plurality of data distribution terminals and said end user is located at said location of said one of said plurality of data distribution terminals.” For similar reasons stated above in conjunction with Claim 1, the combination of Porter and Ginter fails to disclose or suggest

this amended claim element. For at least these reasons, Claim 8 is not obvious in view of the combination of Porter and Ginter. Thus, independent Claim 8 is in condition for allowance.

#### Claim 10

Applicant's amended independent Claim 10 relates to a system for conveying a data product. Claim 10 recites "wherein an end user of the data product is located at said second location where the encrypted first portion and the second portion are recorded onto the storage medium." For similar reasons stated above in conjunction with Claim 1, the combination of Porter and Ginter fails to disclose or suggest this amended claim element. For at least these reasons, Claim 10 is not obvious in view of the combination of Porter and Ginter. Thus, independent Claim 10 is in condition for allowance.

#### Claim 24

Applicant's amended independent Claim 24 relates to a method for conveying a data product. Claim 24 recites "wherein an end user of the data product is located at said second location where the encrypted first portion and the second portion are recorded onto the storage medium." For similar reasons stated above in conjunction with Claim 1, the combination of Porter and Ginter fails to disclose or suggest this claim element. For at least these reasons, Claim 24 is not obvious in view of the combination of Porter and Ginter. Thus, independent Claim 24 is in condition for allowance.

#### Applicant's dependent Claims 2-6, 9, 11-23 and 25-39

Applicant's dependent Claims 2-6, 9, 11-23 and 25-39 are allowable at least for the reason that they depend upon allowable base claims. In addition, these claims include features that are not disclosed by the cited references.

#### Petition for extension of time

Included with this response is a request for an extension of time to reply to the Final Office Action dated August 10, 2005. Included with this response is an authorization for payment of the fee associated with this request.

Appl. No. 09/663,891

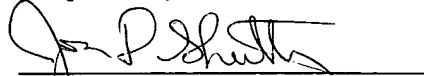
Amdt. dated December 14, 2005

Request for continued examination following final Office action of August 10, 2005

Conclusion

With the present response, all the issues in the Final Office Action mailed August 10, 2005 have been addressed. Applicant submits that the present application has been placed in condition for allowance. If any issues remain, the Examiner is requested to call the undersigned at the telephone number indicated below.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Jon D. Shutter", is written over a horizontal line.

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